

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 4-10, 13-19, 22-28, and 31-38 are pending in the present Application, Claims 1, 10, 19, 22-25, 8, 31-34, 37, and 38 having been amended. Support for the non-formal amendments to 1, 10, 19, 28, 37 and 38 is found, for example, in original Claims 2 and 3, and in the specification at pages 13-14. Thus, no new matter is added.

In the outstanding Office Action, the specification was objected to; Claims 1, 6, 10, 15, 19, 22-25, 28, 31-34, 37, and 38 were rejected under 35 U.S.C. §103(a) as unpatentable over Maeda (U.S. Patent No. 6,775,705) in view of IwaZaki (U.S. Patent No. 6,457,044); Claims 4, 5, 7, 13-14, and 16 were rejected under 35 U.S.C. §103(a) as unpatentable over Maeda in view of IwaZaki, and further in view of Kakimoto (U.S. Patent No. 6,775,688); Claims 8, 17, 26, and 35 were rejected under 35 U.S.C. §103(a) as unpatentable over Maeda, in view of IwaZaki, Kakimoto, and Merritt et al. (U.S. Patent No. 6,421,429, hereinafter Merritt); and Claims 9, 18, 27, and 26 was rejected under 35 U.S.C. §103(a) as unpatentable over Maeda in view of IwaZaki, and further in view of Bowker et al. (U.S. Patent Publication No. 2001/0039615, hereinafter Bowker).

With respect to the objection to the specification, Claims 1, 22-25, and 31-33 are amended to correct the informalities identified in the outstanding Office Action. Accordingly, Applicants respectfully request that the objection to the specification be withdrawn.

With respect to the rejection of Claim 1 as unpatentable over Maeda and IwaZaki, Applicants respectfully submit that amended Claim 1 overcomes this ground of rejection. Amended Claim 1 recites, *inter alia*,

an accommodating capability verifying unit configured  
to verify an information accommodating capability in said

reception terminal or in a communication system  
encompassing said reception terminal, based only on a domain  
of an E-mail address used in sending the E-mail information to  
said reception terminal

Maeda and IwaZaki do not disclose or suggest the above-noted elements of amended Claim

1.

As shown in Fig. 2 of Maeda, steps S213-S219 are used to determine capabilities of a reception terminal. Maeda requires three transmissions between the receiving terminal and the transmitting terminal; a transmission from the transmitting terminal to the receiving terminal requesting capability information (S214), a transmission from the receiving terminal to the transmitting terminal providing the capability information (S217), and a third transmission to supply the receiving apparatus with the desired information (S207). Maeda does not determine the capabilities of the reception terminal based only on a domain of an E-mail address of the reception terminal.

The outstanding Office Action, in the Response to Arguments Section, points out that Maeda discloses storing destination capability information in step S202. However, Maeda only discloses that destination capability information is only stored after steps S213-S219 are performed (i.e., after E-mail communications between the transmitter and the receiver have occurred). However, Maeda does not disclose or suggest verifying an information accommodating capability based only on the domain of an E-mail address.

Thus, Maeda does not disclose or suggest the claimed "...verify an information accommodating capability in said reception terminal or in a communication system encompassing said reception terminal, based on a domain of an E-mail address used in sending the E-mail information to said reception terminal."

IwaZaki does not cure the above-noted deficiencies in Maeda. The outstanding Office Action cites to IwaZaki at col. 3, lines 45-48 which states "deciding communication

conditions of the image to be transmitted, on the basis of the capability information stored in the address storage means in correspondence with the designated electronic-mail address.” The address storage means includes information that is obtained in a manner similar to that of Maeda. To obtain the capability information, IwaZaki discloses that CPU 1 generates a capability request mail in the B mode and transmits it to the destination address, and that CPU 1 waits for capability answer mail for this capability request mail.<sup>1</sup>

Similarly to Maeda, IwaZaki discloses storing reception capabilities. However, like Maeda, IwaZaki requires that previous E-mail communications take place.

Furthermore, IwaZaki does not disclose or suggest basing the determination of capabilities of the receiver on only a domain of an E-mail address. IwaZaki discloses basing the determination of receiver capabilities on prior E-mail communication. This information is merely stored in correspondence with an E-mail address.

Thus, IwaZaki does not disclose or suggest the claimed “...verify an information accommodating capability in said reception terminal or in a communication system encompassing said reception terminal, based only on a domain of an E-mail address used in sending the E-mail information to said reception terminal.”

Furthermore, Bowker, Kakimoto, and Merritt do not cure the above-noted deficiencies in Maeda and Iwazaki.

Thus, Applicant respectfully submits that Claim 1 (and dependent Claims 4-9) patentably distinguish over Maeda, Bowker, IwaZaki, Kakimoto, and Merritt, taken alone or in proper combination. Applicants respectfully submit that Claims 10, 19, 28, 37, and 38 are similar to Claim 1. Thus, Applicant respectfully submits that Claims 10, 19, 28, 37, and 38 (and Claims 13-18, 21-27, and 31-36) patentably distinguish over Maeda, Bowker, IwaZaki,

---

<sup>1</sup>IwaZaki, col. 7, lines 18-23.

Application No. 09/843,400  
Reply to Office Action of February 9, 2006

Kakimoto, and Merritt, taken alone or in proper combination for at least the reasons stated for Claim 1.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



---

Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073  
Joseph Wrkich  
Registration No. 53,796

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

Surinder Sachar  
Registration No. 34,423

I:\ATTY\JW\275754US\275754US\_AM DUE 1-5-06-REVISED.DOC